

Appl. No. 09/925,222
Response Dated February 9, 2006
Reply to Office Action of November 9, 2005

REMARKS

Applicants respectfully request entry and consideration of the above amendments even though presented after a final rejection. Applicants submit that the amendments do not raise new issues or require a new search. Further, entry and consideration of the amendments may isolate issues for potential allowance or appeal. The amendments involve incorporating allowable subject matter into claim 1 and retaining claims that depend from claim 1.

Status of the Claims

Claims 1-10 are currently pending in this application. This Amendment seeks to amend claims 1 and 5. Further, claims 9 and 10 are sought to be canceled without prejudice or disclaimer. Thus, upon entry of this Amendment, claims 1-3 and 5-8 would be pending. Reconsideration and allowance of the pending claims are respectfully requested.

Allowable Subject Matter

In the Office Action, the Examiner indicates that claims 4 and 5 are allowable. Claim 1 has been amended to recite the features of claim 4. Also, claim 5 has been amended to depend from claim 1. Accordingly, Allowance of these claims is respectfully requested.

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Rejections under 35 U.S.C. § 102

Claims 1-3 and 6-10 are rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,049,353 to Gray ("Gray"). Claims 9 and 10 have been canceled, thereby rendering their rejection moot. Allowable claim 5 has been amended to depend from independent claim 1, which also recites allowable subject matter.

Claims 1-3 and 6-8 depend from claim 1, which currently recites the features of allowable claim 4 (now canceled). Thus, Applicants assert that these claims are also allowable.

Conclusion

For at least the above reasons, Applicants submit that claims recite novel features not shown by the cited references. Further, Applicants submit that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicants submit that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicants do not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the claims. Accordingly, Applicants hereby reserve the right to make additional arguments regarding distinctions between the claims and the cited references, taken alone or in combination. Such arguments may be based on additional features contained in dependent claims. A detailed discussion of these distinctions is believed to be unnecessary at this time in view of the basic differences in the independent claims.

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In addition, Applicants reserve the right to pursue canceled or previously presented subject matter in a continuing application.

It is believed that the pending claims are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at (410) 653-2710 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

KACVINSKY LLC

s/John A. Harroun/s

John A. Harroun, Reg. No.: 46,339
Under 37 CFR 1.34(a)

Dated: February 9, 2006

4500 Brooktree Road
Suite 102
Wexford, Pennsylvania 15090

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Deborah L. Higham
Deborah L. Higham

2/9/06
Date